(3)

Single Bench

BEFORE HIGH COURT OF CHHATTISGARH AT BILASPUR (C.G.)

W.P. 14 2005

Single Bench.

10/05

Diary No. 79 dated 03-01-05

Presented by Shri

PETITIONER : MOHD-ATIK, aged 43 years
S/o Haji Mohd. Rafik
Resident of - Dr. Bhim Rao Ambedkar, Ward 27,
MOWA, Post : Saddu, Raipur,
Tah. & Distt. RAIPUR (C.G.).

Versus.

RESPONDENTS : (1) STATE OF CHHATTISGARH
Through :- Chief Secretary
Secretariat
D.K.S. Bhawan, Raipur (C.G.).

(2) MUNICIPAL CORPORATION RAIPUR
Through - Commissioner
Municipal Corporation,
Raipur (C.G.).

(3) CHIEF ELECTION COMMISSION
FOR STATE OF CHHATTISGARH
Mantralaya, D. K. W. Bhawan,
Raipur (C.G.).

(4) The Returning Officer-cum-
Collector, Raipur
Tah. & Distt. Raipur (C.G.).

(5) SMT. SALMA BEGUM, aged 36 years,
W/o Sheikh Anwar
Elected Councillor
Dr. Bhim Rao Ambedkar Ward Ward No.27
Raipur, Tah. & Distt. RAIPUR (C.G.).

contd. . .2

PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF INDIA.

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P.No.14/ सन् 2005

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	11.1.2005 Shri V.G. Tamaskar, counsel for the petitioner. Shri Prashant Mishra, Additional Advocate General for the State/respondents No.1, 3 and 4. The petitioner has filed this writ petition for quashing the election of Smt. Salma Begum, return candidate in Municipal Corporation Elections from Dr. Bhim Rao Ambedkar Ward, Ward No.27 of Municipal Corporation, Raipur, on the ground that there were irregularities in publishing the electoral rolls as the names of same persons were added in the electoral roll twice. I have heard learned counsel for the petitioner on admission, perused the petition and electoral roll. To a certain extent the ground raised by learned counsel for the petitioner ~~seems to~~ I may I be valid, but the election has already been held and respondent No.5 has been declared elected from the ward as a ward member, and the same has already been gazetted also. Therefore, proper remedy for setting aside the election is to file election petition. In the circumstances, this writ petition is dismissed with liberty to the petitioner to avail appropriate remedy as available under the law. Consequently, M.(W.)P.No.19/2005 and I.A.No.90/2005 stand disposed of. **Sd/-** **L.C. Bhadoo** **Judge**	

Soma

Gr. PRJ—FS/350—12/2000—50,000.

17.1.05